

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Donald Masters,

NO. C 07-03792 JW

Plaintiff,

**AMENDED JUDGMENT**

v.

Boston Scientific Corp., et al.,

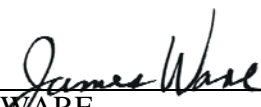
Defendants.

This case was tried to the Court sitting without a jury, a jury having been waived by all parties and only equitable issues were being tried. At the close of the evidence, pursuant to Federal Rule of Civil Procedure 52(a)(1), the Court stated its findings of fact and conclusions of law on the record.

Good cause appearing, judgment is entered in favor of Plaintiff Donald Masters, against Defendant Boston Scientific Corporation, in the sum of \$279,500.00. Prejudgment interest is awarded to Plaintiff at a rate of simple twelve percent under Massachusetts law, calculated from January 12, 2001 to July 1, 2009. Plaintiff shall take nothing for his claim of breach of fiduciary duty.

Each party shall bear their own fees and costs. The Clerk shall close this file.

Dated: October 1, 2009

  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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7  
8 **Dated: October 1, 2009**

**Richard W. Wieking, Clerk**

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11 By: /s/ JW Chambers  
12 **Elizabeth Garcia**  
13 **Courtroom Deputy**  
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